THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.11722 OF 2000

DATED 24.10.2005

Chittoori Srinivasa Rao, S/o Atchutha Ramaiah,

R/o Kakinada, East Godavari District

…Petitioner

and

Principal Secretary to Government, State of A.P.,

Irrigation (CAD) (P.W.) Department, Secretariat Buildings,

Hyderabad and others

…Respondents

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ORDER:

The petitioner's land in Ramanayyapet village in Yeleswaram Mandal of East Godavari District was acquired under Award No.2 of 1989 dated 28.02.1989 for Yeleswaram Reservoir Project. The petitioner sought reference to the civil Court in O.P.No.156 of 1989. By Judgment and decree dated 10.02.1997, the civil Court enhanced the market value. Aggrieved by the same, the petitioner preferred

A.S.No.828 of 1997 and this Court by Judgment dated 13.02.1998 enhanced the amount to Rs.55,000/- per acre. Against the same, the Government's Appeal before the Supreme Court in SLP (Civil) No.3496-3501 of 1999 was dismissed. Thereafter, the petitioner filed E.P.No.38 of 1997 against the respondents but the amount was not deposited. Therefore, in this writ petition the petitioner seeks a writ of Mandamus directing the respondents to pay the decretal amount to the petitioner.

At the time of hearing, the learned Assistant Government Pleader for Revenue (Land Acquisition) submits that on 16.03.2005, the second respondent deposited a sum of Rs.4,00,000/- (Rupees four lakhs only) in the Court and only balance amount need to be paid for want of some clarifications. Therefore, the petitioner may approach the execution Court in the matter.

In view of the submission of the learned Assistant Government Pleader that the amount is already deposited, no further orders are necessary in the writ petition. The writ petition is accordingly disposed of. No costs.

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(V.V.S.RAO,J)

24.10.2005.

pln